

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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Scott Lawrence Simmons,

Civil No. 21-cv-0380 (ADM/TNL)

Plaintiff,

v.

**ORDER**

Clerk of Appellate Courts and Dakota County  
District Court,

Defendants.

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Based upon the Report and Recommendation by United States Magistrate Judge Tony N. Leung dated February 12, 2021 (ECF No. 3), along with all the files and records, and no objections to said Recommendation having been filed, **IT IS HEREBY ORDERED** that:

1. This matter is **DISMISSED WITHOUT PREJUDICE** pursuant to 28 U.S.C. § 1915(e)(2)(B).
2. The application to proceed *in forma pauperis* of plaintiff Scott Lawrence Simmons (ECF No. 2) is **DENIED**.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Date: March 3, 2021

s/Ann D. Montgomery  
The Honorable Ann D. Montgomery  
United States District Judge